

SENATE BILL REPORT

SHB 1467

As of March 10, 2011

Title: An act relating to the definition of a well.

Brief Description: Modifying the definition of a well for the purposes of chapter 18.104 RCW.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Buys, Blake, Chandler, Pearson, Fagan, Overstreet, Harris, Wilcox, Johnson, Haler, Warnick, McCune and Kelley).

Brief History: Passed House: 2/26/11, 97-0.

Committee Activity: Environment, Water & Energy: 3/09/11.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: Karen Epps (786-7424)

Background: The Washington Well Construction Act (WWCA) governs the design, construction, alteration, and decommissioning of wells in this state. The Department of Ecology regulates well design, construction, and maintenance. Wells are defined in the WWCA.

Wells are water wells, resource protection wells, dewatering wells, and geotechnical soil borings. A well is not an excavation made for the purpose of obtaining or prospecting for oil, natural gas, geothermal resources, minerals, or products of mining, or quarrying, or for inserting media to re-pressure oil or natural gas bearing formations, or for storing petroleum, natural gas, or other products.

Summary of Bill: The definition of a well, as defined in the WWCA, is modified to exempt certain activities. Inserting any device or instrument into the soil for the sole purpose of performing soil or water testing or analysis, or establishing soil moisture analysis content is not a well, as long as there is no withdrawal of water in any quantity other than necessary to perform the intended testing or analysis and any testing or analysis is less than 10 feet in depth.

Appropriation: None.

Fiscal Note: Available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill provides an exemption for soil samples. Soil testing is required for dairy farms and many others in the agricultural community. This bill removes these types of soil probes and soil moisture testing from the definition of a well.

Persons Testifying: PRO: Representative Buys, prime sponsor; Ken Slattery, Department of Ecology.